

(for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I of division A, add the following:

SEC. 115. HOV FACILITIES EXCEPTION FOR ACTIVE TRAFFIC MANAGEMENT STRATEGIES.

Section 166(b) of title 23, United States Code (as amended by section 11527), is amended—

(1) in paragraph (1), by striking “through (5)” and inserting “through (7)”; and

(2) by adding at the end the following:

“(7) ACTIVE TRAFFIC MANAGEMENT STRATEGIES.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ACTIVE TRAFFIC MANAGEMENT.—The term ‘active traffic management’ means the ability—

“(I) dynamically to manage traffic congestion based on prevailing and predicted traffic conditions; and

“(II) to maximize the effectiveness and efficiency of a HOV facility with respect to trip reliability.

“(ii) ACTIVE TRAFFIC MANAGEMENT STRATEGY.—The term ‘active traffic management strategy’ means a strategy implemented for purposes of active traffic management, including—

“(I) speed advisory controls;

“(II) dynamic lane assignment;

“(III) dynamic hard shoulder running; and

“(IV) adaptive ramp metering.

“(B) EXCEPTION.—A public authority operating a HOV facility may implement 1 or more active traffic management strategies to replace the HOV facility in any case in which, as determined by the public authority, research and analysis demonstrate that the active traffic management strategy will result in—

“(i) an improvement in overall safety; and

“(ii) reduction in traffic congestion.”.

SA 2324. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—CERTS ACT FUNDING

SEC. 71201. REALLOCATION OF FUNDING FOR CERTS ACT.

Notwithstanding any other provision of this Act (or an amendment made by this Act), the following amounts shall be reallocated to carry out the Coronavirus Economic Relief for Transportation Services Act (subtitle B of title IV of division N of Public Law 116-260; 134 Stat. 1182):

(1) \$2,000,000,000 of the total amount authorized to be appropriated for Northeast Corridor grants under section 22101(a).

(2) \$1,000,000,000 of the total amount authorized to be appropriated for National Network grants under section 22101(b).

(3) \$1,000,000,000 of the total amount authorized to be appropriated for transit infra-

structure grants of the Federal Transit Administration under title VIII of division J.

(4) \$500,000,000 of the total amount authorized to be appropriated to carry out the clean school bus program under subsection (f) of section 741 of the Energy Policy Act of 2005 (42 U.S.C. 16091) (as amended by section 71101).

(5) \$500,000,000 of the total amount authorized to be appropriated to carry out the electric or low-emitting ferry pilot program under section 71102(d).

SA 2325. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—FEDERALLY FUNDED PROJECTS AND ACTIVITIES NOT IN METROPOLITAN STATISTICAL AREAS

SEC. 71201. FEDERALLY FUNDED PROJECTS AND ACTIVITIES NOT IN METROPOLITAN STATISTICAL AREAS.

Notwithstanding any other provision of law, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and division A of subtitle III of title 54, United States Code (formerly known as the “National Historic Preservation Act”), shall not apply to any project or activity that—

(1) is not located in a metropolitan statistical area (as defined by the Office of Management and Budget); and

(2) is carried out using Federal funds.

SA 2326. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. ____ . APPLICATION OF NEPA AND NHPA TO COVERED PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(2) COMMUNICATIONS FACILITY.—The term “communications facility” includes—

(A) any wireless or wireline infrastructure for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds;

(B) any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with the provision of communications services; and

(C) any antenna or apparatus that—

(i) is designed for the purpose of emitting radio frequency;

(ii) is designed to be operated, or is operated, from a fixed location; and

(iii) is added to a tower, building, or other structure.

(3) COMMUNICATIONS SERVICE.—The term “communications service” means a service for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds.

(4) COVERED PROJECT.—The term “covered project” means a project that—

(A) is to be carried out within an area for which the President has declared a major disaster or an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) is to be carried out not later than 5 years after the date on which the President made the declaration; and

(C)(i) replaces a communications facility damaged by the disaster or emergency; or

(ii) makes improvements to a communications facility—

(I) that could reasonably be considered as necessary for recovery from the disaster or emergency; or

(II) to prevent or mitigate damage to the communications facility from a future disaster or emergency.

(b) NEPA CONSIDERATIONS.—The Commission shall treat a covered project as a class of action categorically excluded under section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation), from any requirement to prepare an environmental assessment or environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) NATIONAL HISTORIC PRESERVATION CONSIDERATIONS.—Section 306108 of title 54, United States Code, shall not apply with respect to a covered project—

(1) for which the Commission is required to issue a permit; or

(2) that is otherwise subject to the jurisdiction of the Commission.

SA 2327. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2058, line 14, insert before “from eligibility” the following: “, except for municipal broadband providers that are prohibited by State law from offering broadband service in the applicable jurisdiction,”.

SA 2328. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2053, strike lines 12 through 16 and insert the following:

of such individuals; and

(5) broadband adoption, including programs to provide affordable internet-capable devices.

SA 2329. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2054, beginning on line 17, strike “, except that the” and all that follows through “project” on line 23.

SA 2330. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 11519, strike subsection (b) and insert the following:

(b) IMPROVING THE EMERGENCY RELIEF PROGRAM.—Not later than 90 days after the date of enactment of this Act, the Secretary shall—

(1) establish categorical exclusions from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and necessary exemptions from the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) for emergency relief projects that are not located in metropolitan statistical areas (as defined by the Office of Management and Budget);

(2) revise the emergency relief manual of the Federal Highway Administration—

(A) to include and reflect the definition of the term “resilience” (as defined in section 101(a) of title 23, United States Code);

(B) to identify procedures that States may use to incorporate resilience into emergency relief projects; and

(C) to encourage the use of Complete Streets design principles and consideration of access for moderate- and low-income families impacted by a declared disaster;

(3) develop best practices for improving the use of resilience in—

(A) the emergency relief program under section 125 of title 23, United States Code; and

(B) emergency relief efforts;

(4) provide to division offices of the Federal Highway Administration and State departments of transportation information on the best practices developed under paragraph (3); and

(5) develop and implement a process to track—

(A) the consideration of resilience as part of the emergency relief program under section 125 of title 23, United States Code; and

(B) the costs of emergency relief projects.

SA 2331. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY))

to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1318, line 3, strike “The term” and insert “Except as otherwise expressly provided, the term”.

On page 1420, beginning on line 15, strike “In this” and all that follows through “section” on line 16, and insert “Except as otherwise expressly provided, in this section”.

On page 1426, between lines 2 and 3, insert the following:

(h) NATIONAL BLOCKCHAIN IMPLEMENTATION POLICY PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) CRITICAL MINERAL.—The term “critical mineral” has the meaning given the term in Executive Order 13817 (30 U.S.C. 1601 note; relating to a Federal strategy to ensure secure and reliable supplies of critical minerals).

(B) NATIONAL LABORATORY.—The term “National Laboratory” has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(C) PROGRAM.—The term “Program” means the National Blockchain Implementation Policy Program established by the Secretary under paragraph (2)(A).

(D) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(2) PROGRAM.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish in the Department of Commerce a program to be known as the National Blockchain Implementation Policy Program.

(B) REQUIREMENTS.—In carrying out the Program, the Secretary, acting in coordination with such Federal agencies, advisory councils, working groups, and subcommittees as the Secretary considers appropriate, shall—

(i) establish the goals, priorities, and metrics for a 5-year plan to accelerate the development of blockchain technology, and the applications for blockchain technology, in the United States;

(ii) monitor global regulatory developments to—

(I) assess the competitiveness of the United States with respect to the supply chain of critical minerals; and

(II) develop policy solutions in the United States with respect to the supply chain of critical minerals;

(iii) in order to achieve the purposes described in clause (i), pursue fundamental research, development, demonstration, and other activities with respect to blockchain technology;

(iv) invest in activities to develop a blockchain technology workforce pipeline;

(v) provide for interagency planning and coordination of research, development, demonstration, standards engagement, and other activities with respect to blockchain technology;

(vi) partner with private industry, institutions of higher education, and the National Laboratories to leverage knowledge and resources with respect to blockchain technology; and

(vii) leverage Federal investments regarding blockchain technology that are in existence, as of the date on which the Program is established, to advance the goals of the Program, including the purposes described in clause (i).

SA 2332. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA

(for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ DEADLINE FOR AUTHORIZATION DECISIONS FOR MAJOR INFRASTRUCTURE PROJECTS.

(a) DEFINITIONS.—In this section:

(1) LEAD FEDERAL AGENCY.—The term “lead Federal agency” means the Federal agency that is responsible for navigating a major infrastructure project through environmental review and authorization processes.

(2) MAJOR INFRASTRUCTURE PROJECT.—The term “major infrastructure project” means an infrastructure project for which—

(A) multiple authorizations by Federal agencies will be required to proceed with construction;

(B) the lead Federal agency has determined that it will prepare an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) the project sponsor has identified the reasonable availability of funds sufficient to complete the project.

(b) DEADLINE FOR AUTHORIZATION DECISIONS.—Not later than 90 days after the date on which the head of a lead Federal agency issues a record of decision following the completion of an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), all Federal authorization decisions relating to the construction of a major infrastructure project shall be completed, on the condition that such final environmental impact statement includes an adequate level of detail to inform agency decisions pursuant to specific statutory authority and requirements.

(c) EXTENSION.—The head of a lead Federal agency may extend the deadline referred to in subsection (b) if the head of the lead Federal agency determines that—

(1) Federal law prohibits the Federal agency from issuing an approval or permit within the 90-day period;

(2) the project sponsor requests that the permit or approval follow a different timeline; or

(3) an extension would better promote completion of the environmental review and authorization process of the project.

SA 2333. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ USE OF PREVIOUS ENVIRONMENTAL STUDIES, ANALYSES, AND DECISIONS FOR CURRENT PROJECTS.

In carrying out requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a current project, a Federal agency may use an environmental study, analysis, or decision conducted in support of previous Federal, State, Tribal, or